

Honorable Judge Benjamin Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER,

Plaintiff,

v.

DETECTIVE SHARON KRAUSE, and
SERGEANT MICHAEL DAVIDSON,

Defendants.

No. C11-5424BHS

**DECLARATION OF
KATHLEEN T. ZELLNER IN
SUPPORT OF PLAINTIFF'S
MOTIONS IN LIMINE**

Pursuant to 28 U.S.C. § 1746, Kathleen T. Zellner declares under penalty of perjury under the laws of the State of Washington and the United States of America that the following is true and accurate:

1) I am the attorney of record for Plaintiff Clyde Ray Spencer in the above-entitled action. I am competent to testify in all respects, and make this declaration from personal knowledge.

2) Attached to this Declaration as Exhibit A is a true and correct copy of an excerpt of Defendant Davidson's expert disclosure, which was tendered by the defense to Plaintiff's counsel on October 9, 2012.

1 3) Attached to this Declaration as Exhibit B is a true and correct copy of an excerpt
2 from Defendant's pretrial statement, tendered by the defense to Plaintiff's counsel on
3 December 1, 2013.

4 4) Attached to this Declaration as Exhibit C is a true and correct copy of an excerpt
5 from Dr. Esplin's report, summarizing his opinions in this case, which was tendered by the
6 defense to Plaintiff's counsel on October 9, 2012.

7 5) Attached to this Declaration as Exhibit D is Defendant Krause's and Defendant
8 Davidson's joint initial disclosure pursuant to Fed.R.Civ.P. 26(a)(1), which was tendered by the
9 defense to Plaintiff's counsel on September 29, 2011.
10

11 SIGNED this 2nd day of December, 2013 in Downers Grove, Illinois.

12
13 Respectfully submitted,

14
15 /s/ Kathleen T. Zellner
16 Kathleen T. Zellner & Associates, P.C.
17 Admitted *pro hac vice*
18 1901 Butterfield Road
19 Suite 650
20 Downers Grove, Illinois 60515
21 Phone: (630) 955-1212
22 Fax: (630) 955-1111
23 kathleen.zellner@gmail.com
24 Attorney for Plaintiffs
25
26
27

DECLARATION OF SERVICE

I hereby certify that on December 2, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the attorneys of record as follows:

Guy Bogdanoich Law, Lyman, Daniel, Kamerrer & Bogdanovich, P.S. P.O. Box 11880 Olympia, WA 98508-1880 Email: gbogdanovich@lldkb.com Attorney for Defendant Sharon Krause	Jeffrey A. O. Freimund Freimund Jackson Tardif & Benedict Garratt, PLLC 711 Capitol Way South, Suite 602 Olympia, WA 98502 Email: jeffF@fjtlaw.com Attorneys for Defendant Michael Davidson
--	---

/s/ Kathleen T. Zellner

Kathleen T. Zellner & Associates, P.C.

Admitted *pro hac vice*

1901 Butterfield Road

Suite 650

Downers Grove, Illinois 60515

Phone: (630) 955-1212

Fax: (630) 955-1111

kathleen.zellner@gmial.com

Attorney for Plaintiffs